

REMARKS

By way of the present response, claims 1, 12 and 13 have been amended, and new claims 14 and 15 have been added. Claims 1-15 currently are pending. Applicants respectfully request reconsideration and withdrawal of the rejections of the claims.

On page 2 of the Office Action, claims 1-12 were rejected under 35 U.S.C. §101 for allegedly claiming non-statutory subject matter. This rejection is respectfully traversed.

Claim 1 has been amended to recite that the computer program product is encoded on a medium readable by a computer and causing the computer to perform the recited steps a) to d). It is respectfully submitted that the amendments to claim 1 render moot the rejection of this claim under Section 101.

Claim 12 has been amended to explicitly recite that the data structure is stored on a computer-readable medium. The claimed computer-readable medium is an article of manufacture, and thus qualifies as a statutory category under Section 101. Furthermore, it is respectfully submitted that the invention has practical application in the technical arts. For example, the data structure has practical use in facilitating a user operating a computer to select among information units of a plurality of information units. Additionally, the claimed data structure imparts functionality between elements. For example, the recited structure and solution category tags point to at least one information unit in the data structure. Hence, amended claim 12 is considered to recite statutory subject matter within the meaning of Section 101. Accordingly, Applicants request that the rejection be withdrawn.

The Office Action also includes an objection to the abstract. In response, Applicants have amended the abstract. It is respectfully submitted that the amended abstract fully complies with MPEP §608.01(b). As such, Applicants request the Examiner to withdraw the objection.

In section 8 on page 4, the Action objected to the drawings for including unlabeled boxes. Attached hereto are two formal Replacement Drawing sheets in which Figures 1-4 have been changed to incorporate labels in the illustrated boxes.

AMENDMENTS TO THE DRAWINGS:

The attached formal drawings sheets include changes to FIGS. 1-4. These sheets, which include FIGS. 1-4, replace the original sheets including FIGS. 1-4. The drawing changes address the concerns raised by the Examiner on page 4, section 8 of the Office Action. In the drawings, descriptive text labels have been added to each of FIGS. 1-4.

The Examiner is respectfully requested to approve the drawing changes.

Attachments: Replacement Drawing sheets (2)
Sheets with annotations showing changes (2)

Applicants submit that these changes to Figures 1-4 fully address the concerns regarding the drawings expressed on page 4 of the Office Action.

On page 5, the Office Action includes a rejection of claims 1-11 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. This rejection is respectfully traversed.

With respect to claim 1, the Office Action asserts, "it is unclear where the limitations begin and the preamble ends. The metes and bounds of the claimed invention are unclear." It is respectfully submitted, however, that claim 1 is definite, especially when considering *the whole of the claim* and when reading the claim in light of the specification, both of which must be considered when ascertaining the metes and bounds of a claim. See MPEP §2173.02. For instance, the first part of claim 1 recites "Computer program product for assisting a user to select among information units of a plurality of structured information units concerning at least one of products, their use and technical solutions in relation to bearings and seals." The next part of the claim recites, among other features, elements that each information unit includes (i.e., "an information item ...," "a descriptor tag ...," "a structure tag ...," "a solution category tag ... " and "pointers ..."). The latter part of the claim recites steps that the computer program product causes a computer to perform. These steps recite, *inter alia*, actions performed by the computer involving elements set forth earlier in the claim. It is respectfully submitted that one of ordinary skill in the art, having read claim 1, would be apprised of its scope. If the Examiner maintains this rejection, it is respectfully requested that he explain, with particularity to specific lines or language of the claim, why the whole of claim 1 is considered indefinite, and that he provide an authority clarifying the stated reasoning concerning "where the limitations begin and the preamble ends."

The Action also alleges that claim 5 is indefinite for lack of clarity. More particularly, it is asserted it is unclear how an initial set can be based on a cookie of a previous use session. However, it is axiomatic that claim language is not to be read in a vacuum. Rather, definiteness of claim language must be analyzed in light of the specification. *Id.* For instance, paragraph 0026 describes that the initial set of descriptor tags can be based on a cookie from a previous use session of the computer program product so that a user can easily and quickly return back to an

information unit provided in a previous use session. It is respectfully submitted that one of ordinary skill in the art would understand from the specification and claim 5 that the recited "initial set" concerns an initial set of descriptor tags of a current session.

The Action also alleges that it is unclear what "carrier" means in claim 11. However, Applicants respectfully submit that the language of claim 11, when analyzed in light of the specification, would have been clear to one of ordinary skill in the art. For instance, a carrier is described in the specification as something onto which the program is loaded, such as a CD-ROM. See, paragraphs 0032 and 0051.

For at least these reasons, claims 1-12 are considered definite. Hence, Applicants request that the rejection under Section 112 be withdrawn.

The Action also includes a rejection of claims 1-13 under 35 U.S.C. §103, as allegedly being obvious over Jammes et al. (U.S. Patent No. 6,484,149) in view of Maynard (U.S. Patent No. 6,484,166). This rejection is respectfully traversed, because the Jammes et al. and Maynard patents, considered individually or in the combination relied upon by the Examiner, fail to teach or suggest the presently claimed invention as set forth in independent claims 1, 12 and 13. In addition, it is respectfully submitted that one of ordinary skill in the art would not have been motivated to combine the Jammes et al. and Maynard references as set forth in the Office Action.

For example, the Jammes et al. and Maynard patents, whether considered individually or in combination, fail to teach or suggest a solution category tag operative to generate a new set of information units when selected, and the step of "d) selectively repeating steps b) and c) at the users request," as set forth in independent claim 13.

In setting forth the rejection, the Office refers to column 28, lines 6-14 of the Jammes et al. patent, which describes a process of a Get_Subordinate_Groups routine. According to Jammes et al., this routine returns a pointer to a linked list of group structures and/or products in a refresh method. During the refresh method, the linked list is sequentially navigated until a null pointer is encountered. The Action goes on to states that column 45, lines 3-6 of Jammes et al. purportedly teaches the recited step of d) selectively repeating steps b) and c) at the users request.

However, the sections of Jammes et al. relied upon is not related to the claimed step of "b) receiving an instruction to assemble a new set of descriptor tags, the instruction being generated by a user using an input device to select one of a structure tag and a solution category tag, the instruction resulting in the generation of a new set of information units, where at least one of the structure and the solution category tags of the information units in the new set are interconnected to the information units of a previous set." Rather, column 45, lines 3-6 of Jammes et al. describes processes including *creating* data records by way of group dialog boxes 1301 and product dialog boxes 1320, preparing HTML template files, and associating the template files with groups and products. (See, the description beginning on line one of column 42 to line 62 of column 44.) This description does not, however, relate to repeating the claimed steps b) and c), which include, among other features, receiving an instruction to assemble a new set of descriptor tags in which the instruction is generated by a user selecting one of structure tag and a solution category tag.

The Office Action also acknowledges that the Jammes et al. patent fails to teach category tags as claimed. The Office, therefore, relies on the description in column 23, line 33 to column 24, line 12 of Maynard of categorical tags. It is respectfully submitted, however, that the Maynard patent does not remedy the shortcomings of Jammes et al. First, it is respectfully submitted that one of ordinary skill in the art would not have looked to the information management, searching and retrieval system of the Maynard patent to modify the Jammes et al. system of designing and operating an electronic store as suggested by the Examiner because there is no teaching or suggestion for doing within these disparate documents. Second, even if one were to consider, for the sake of argument, that one of ordinary skill in the art were to somehow modify the Jammes et al. system to include categorical tags as taught in Maynard, such hypothetical modification would not have resulted in the combination of features recited in claim 13.

Referring to the description starting at column 1, line 48, the Maynard patent describes a system including a break module that parses through an information resource such as a document, a group of documents or a stream of information to create a number of "finite elements," such as paragraphs, sections, sub-sections,

and segments. The break module also creates and assigns categorical tags for each of the finite elements based on a set of expert rules. Next, Maynard describes an "index module" that parses through the finite elements identified/created/processed by the break module to create a searchable database of records, each record corresponding to one of the finite elements. Each of these records includes an address or location of the corresponding finite element, the categorical tag assigned to the finite element, and a string contained in the finite element and its frequency within the finite element. An end user of the Maynard system enters a search string as a search query and a "search module" searches through the index of the database records for records matching a specific search term or query. Search results are displayed in a collapsible/expandable structures according to categorical tags. After matched records are displayed, a user selects a displayed finite element from results of a search, and an "un-break module" operates to allows a user to view a contiguous portion of the informational resource to which the finite element belongs. Hence, the categorical tags of the Maynard system do not relate to the solution category tags of the present invention because a user does not select of a categorical tag. Rather, a user of the Maynard system selects a finite element arranged in a display, which results in reproducing a "finite element" record within the context of related contiguous portions of the information resource. Moreover, such selection does not teach or suggest the claimed features of generating an instruction to assemble a new set of descriptor tags, which results in generating a new set of information units including structure and category tags interconnected to information units of a previous set.

Similar distinctions are recited in independent claim 1, which is directed to a computer program product. Additionally, claim 1 recites that each information unit includes an information item comprising information related to at least one of the products, their use and technical solutions in relation to bearings and seals, and that a solution category tag points to at least one information unit in the information unit structure database and indicates that the information unit belongs to one of design, reliability, maintenance and training categories. It is respectfully submitted that column 8, lines 11-13 of the Jammes patent relied upon by the Office for allegedly

teaching this feature does not mention or suggest this combination of specific features recited in claim 1.

By contrast, the present invention set forth in claim 1 provides two structures that interact with, or point to, the information units in the information unit database comprising information related to at least one of the products, their use and technical solutions in relation to bearings and seals. This leads to an advantage since the present invention offers two possibilities of finding a desired information unit. First there is the possibility of selecting the structure tags, which are based on products and/or uses of bearings and seals. Second there is the possibility of selecting solution category tags, which are based on the solution category, i.e. whether the information unit deals with design, reliability, maintenance or training in relation to bearings and seals. The combination of these two possibilities, which facilitates easy and swift retrieval of needed information, is not taught or suggested in the proposed combination of the Jammes et al. and Maynard patents.

These advantageous features are also brought out in independent claim 12, which is directed to a data structure stored on a computer-readable medium including a plurality of structured information units. Each information unit includes, *inter alia*, a structure tag pointing to at least one information unit in said data structure, and a solution category tag pointing to at least one information unit in the data structure and indicating membership of the information unit to one of design, reliability, maintenance and training categories. Again, the Examiner asserts that it would have been obvious to modify the Jammes et al. patent system to include a categorical tag as taught in Maynard. However, for reasons pointed out above, one of ordinary skill in the art would not have been led to such a modification. Moreover, such modification would appear to require substantial reconstruction and redesign of the Jammes et al. system as well as requiring a change the principle operation of that system. As instructed in MPEP §2143.01, such teachings of the references would not be sufficient to render the claim *prima facie* obvious.

Furthermore, the Examiner acknowledges, at page 9, lines 7-10, that neither the Jammes et al nor Maynard patent teach the claimed features of the solution category indicating membership of the information unit to one of design, reliability, maintenance and training categories and that the information item includes

information related to bearings and seals. However, the Examiner nevertheless asserts these features would have been obvious without substantiating this statement with evidence from the prior art. It is respectfully submitted that such allegations cannot form a basis for establishing a *prima facie* case of obviousness, and thus only serve to further illustrate the non-obviousness of the present invention.

For at least these reasons, it is respectfully submitted that the Office has failed to establish a *prima facie* case of obviousness with respect to independent claims 1, 12 and 13.

The remaining claims 2-11 depend from claim 1 and are allowable at least for the above reasons, and further for the additional advantageous features recited. It is respectfully submitted that the Jammes et al. and Maynard patents also fail to teach or suggest the features of new claims 14 and 15.

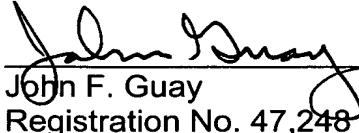
All objections and rejections raised by the Examiner having been addressed, it is respectfully submitted that the present application is in condition for allowance and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

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Date: December 14, 2004

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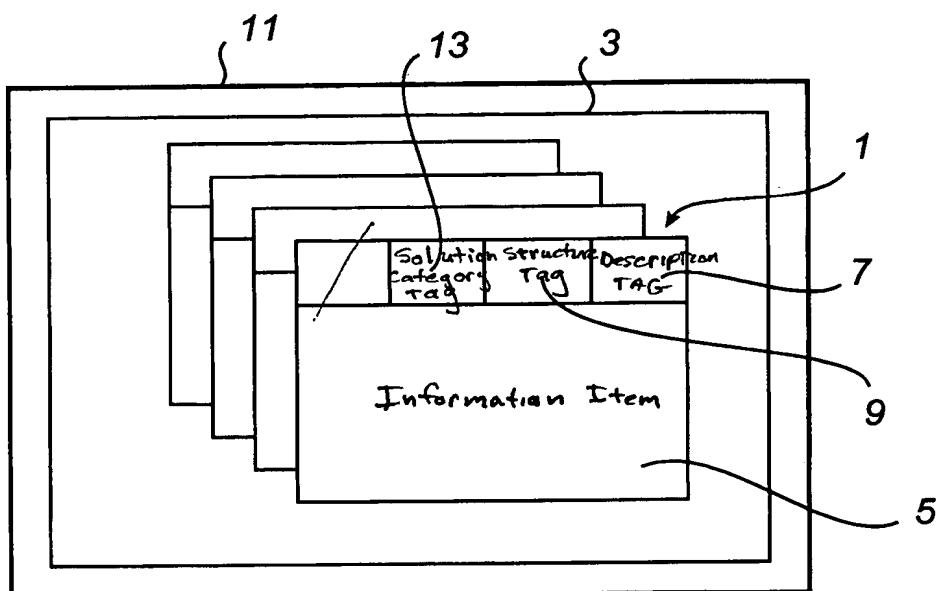


Fig. 1

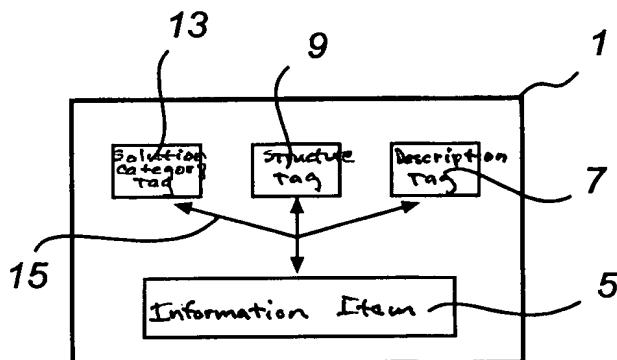


Fig. 2

To next drawing sheet

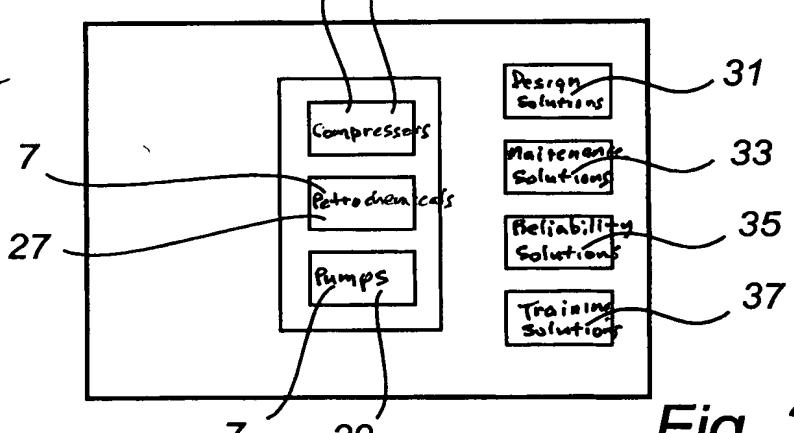


Fig. 3

APPLN. FILING DATE: MARCH 14, 2001
TITLE: COMPUTER PROGRAM PRODUCT FOR
ASSISTING A USER TO SELECT AMONG
INFORMATION UNITS OF A PLURALITY OF
STRUCTURED INFORMATION UNITS CONCERNING
BEARINGS AND SEALS APPLN. NO.: 09/805,575
INVENTOR(S): JANICE AFFONSO ET AL. SHEET 2 OF 2

ANNOTATED MARKED-UP DRAWING

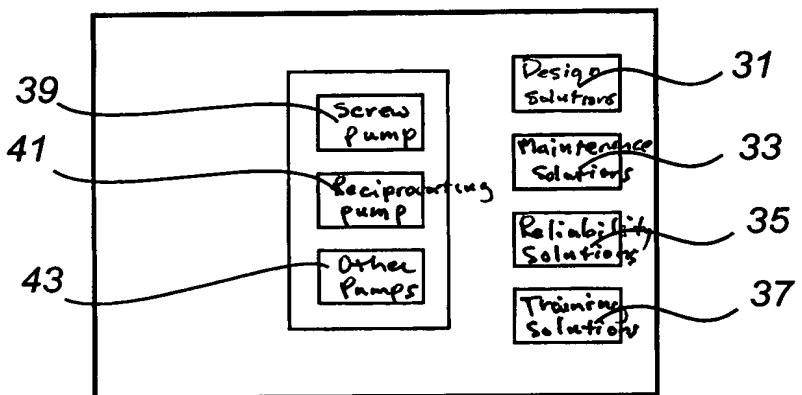


Fig. 4